



PATENT  
Docket No. 290252021800

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on September 3, 1998.

*Krista K. Merrimac*  
Krista K. Merrimac

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

J. McFadden et al.

Serial No.: 09/097,023

Filing Date: June 12, 1998

For: CATHETHER WITH KNIT SECTION

Examiner: Not Assigned

Group Art Unit: 3734

TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In complete response to the Notice to File Missing Parts of Application Under  
37 C.F.R. § 1.53(d) dated July 10, 1998, attached please find:

- ☐ A combined Declaration and Power of Attorney signed by the inventor and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.16(e).
- ☒ A declaration signed by the inventor(s) and the surcharge of \$130.00 as set forth in 37 C.F.R. § 1.16(e).
- ☒ A Power of Attorney and Prosecution by Assignee Under 37 C.F.R. § 3.71.
- ☐ A Declaration of Small Entity Status.
- ☐ A Petition for Extension of Time.
- ☐ A verified English translation of the application, and the \$130.00 fee as set forth in 37 C.F.R. § 1.17(k).
- ☐ A preliminary amendment.

- ☒ Other: A copy of the Notice to File Missing Parts of Application; and Return Post Card.

The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	53 - 20 =	33	x \$22.00	\$726.00
INDEPENDENT CLAIMS	3 - 3 =	0	x \$82.00	\$0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$0.00
			BASIC FEE	\$790.00
		TOTAL OF ABOVE CALCULATIONS =		\$1,516.00
SURCHARGE FOR FILING MISSING PARTS				\$130.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$0.00
			TOTAL =	\$1,646.00


- ☒ A check in the amount of \$1,646.00 is attached.
- ☐ Charge \$\_\_\_\_\_ to **Deposit Account No. 03-1952.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952.**

Respectfully submitted,

Dated: September 3, 1998

By:

  
Cindy S. Kaplan  
Registration No. 40,043

Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5764  
Facsimile: (650) 494-0792



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/097,023 06/12/98 MCFADDEN J 290252021800

0242/0710

MORRIS & FOERSTER  
755 PAGE MILL ROAD  
PALO ALTO CA 94304

NOT ASSIGNED

3734

DATE MAILED: 07/10/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1646

☒ 1. The statutory basic filing fee is:

☒ missing

☐ insufficient

Applicant must submit \$ 790 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27). 726

☒ 2. Additional claim fees of \$ 726, including any multiple dependent claim fees, are required.

\$ 726 for 33 independent claims over 3.

\$ 726 for 33 dependent claims over 20.

\$ 726 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825"

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

BEST AVAILABLE COPY

PART 2 - COPY TO BE RETURNED WITH RESPONSE